DEPARTMENT OF STAT

ashington, D.C. 20520

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November 29, 1978

MEMORANDUM

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY DM Ward DATE 3/2/81
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TO: ARA - Guyana Task Force
CA
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FROM: Sharon B. Kotok, Chief
Privacy Staff, FADRC/DR/PAS

SUBJECT: Privacy Act Guidance on Jonestown

Several questions have arisen regarding the Privacy Act and the release of names of the survivors in Jonestown, Guyana. A staff member of the House Government Operations Committee also inquired about the Department's policy on releasing information about the Peoples Temple.

As you know, the Privacy Act governs the release of information in name-retrievable files only. The release of other information is guided by the provisions of the Freedom of Information Act. Subsection (b)(6) of the FOIA states that Federal agencies can withhold information from the public if the release of the information would constitute a "clearly unwarranted invasion" of personal privacy.

The entire tragedy at Jonestown is newsworthy, and under ordinary circumstances, it is our opinion that the release of the names and minimum identifying information about the survivors would not constitute a clearly unwarranted invasion of their privacy. However, we understand that extenuating circumstances, i.e. fear of reprisals, law enforcement investigations, etc., might require the Department to protect names of some of these individuals. We support the Department's position of protecting those individuals who do not want to have their names released.

However, the Department cannot withhold names of all survivors. Some have already appeared on television and in

newspapers. The Department could not reasonably withhold information about individuals who have already been in the public realm.

We urge the Department not to blanketly refuse to provide information on the Peoples Temple, but to review requests on a case-by-case basis.

Clearance:L/M-LAHummer (draft)